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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/769,157	
	Filing Date	1/29/2004	
	First Named Inventor	Joshua D. Rabinowitz	
	Art Unit	Not yet known	
	Examiner Name	To be assigned	
Total Number of Pages in This Submission		Attorney Docket Number	00037.09CON

ENCLOSURES (check all that apply)		
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

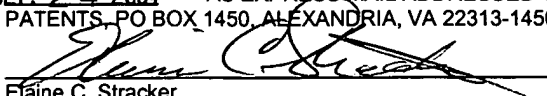
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	ALEXZA MDC, 1001 East Meadow Circle, Palo Alto, CA 94303 Elaine C. Stracker, Ph.D., J.D. Telephone (650)-687-3905	Customer Number 37485
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Elaine C. Stracker



PATENT  
Attorney's Docket No.: 00037.09CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rabinowitz et al.  
Serial No.: 10/769,157  
Filed: 1/29/2004  
Title: DELIVERY OF ALPRAZOLAM, ESTAZOLAM, MIDAZOLAM OR TRIAZOLAM THROUGH AN INHALATION ROUTE

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with their continuing duty of disclosure under 37 CFR §§ 1.97, 1.98 and 1.56, Applicants hereby submit for consideration in the above-identified application the enclosed references. The Information Disclosure statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

For the convenience of the Examiner, the references are listed on a PTO Form 1449 (attached) and copies thereof are enclosed. Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including any extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 502731. Please direct all correspondence to the following customer number.

Respectfully submitted,

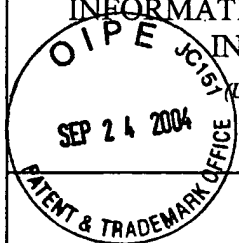
Date: SEP. 24 2004



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Form PTO-1449 <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>	Docket Number: 00037.09CON	Application Number: 10/769,157
	Applicant: Joshua D. RABINOWITZ et al.	
	Filing Date: 01/29/2004	Group Art Unit: Not Yet Known



## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	02/02/1971	3,560,607	Hartley et al.			
	2.	05/27/1980	Re. 30,285	Babington			
	3.	10/21/1980	4,229,447	Porter			
	4.	04/02/1985	4,508,726	Coleman			
	5.	05/13/1986	4,588,721	Mahan			
	6.	07/28/1987	4,683,231	Glassman			
	7.	09/05/1989	4,863,720	Burghart et al.			
	8.	01/23/1990	4,895,719	Radhakrishnun et al.			
	9.	09/17/1991	5,049,389	Radhakrishnun			
	10.	03/31/1992	5,099,861	Clearman et al.			
	11.	11/24/1992	5,166,202	Schweizer			
	12.	08/31/1993	5,240,922	O'Neill			
	13.	02/14/1995	5,388,574	Ingebrethsen			
	14.	10/10/1995	5,457,100	Daniel			
	15.	08/06/1996	5,543,434	Weg			
	16.	08/13/1996	5,544,646	Lloyd et al.			
	17.	08/12/1997	5,655,523	Hodson et al.			
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	19.	04/07/1998	5,735,263	Rubsamen et al.			
	20.	04/14/1998	5,738,865	Baichwal et al.			
	21.	06/02/1998	5,758,637	Ivri et al.			
	22.	06/16/1998	5,767,117	Moskowitz			
	23.	06/29/1999	5,915,378	Lloyd et al.			
	24.	08/10/1999	5,934,272	Lloyd et al.			
	25.	09/28/1999	5,957,124	Lloyd et al.			
	26.	10/05/1999	5,960,792	Lloyd et al.			

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	Applicant: Joshua D. RABINOWITZ et al.	
	Filing Date: 01/29/2004	Group Art Unit: Not Yet Known

	27.	11/30/1999	5,993,805	Sutton et al.			
	28.	03/28/2000	6,041,777	Faithfull et al.			
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	30.	04/18/2000	6,051,566	Bianco			
	31.	06/20/2000	Re. 36,744	Goldberg			
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	33.	08/15/2000	6,102,036	Slutsky et al.			
	34.	10/17/2000	6,133,327	Kimura et al.			
	35.	10/31/2000	6,140,323	Ellinwood, Jr. et al.			
	36.	06/05/2001	6,241,969	Saidi et al.			
	37.	07/03/2001	6,255,334	Sands			
	38.	01/14/2003	6,506,762	Horvath et al.			
	39.	02/04/2003	6,514,482	Bartus et al.			
	40.	07/15/2003	6,591,839	Meyer et al.			
	41.	09/06/2001	US 2001/0020147	Staniforth et al.			
	42.	03/28/2002	US 2002/0037828	Wilson et al.			
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	44.	07/04/2002	US 2002/0086852	Cantor			
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	46.	11/28/2002	US 2002/0176841	Barker et al.			
	47.	01/02/2003	US 2003/0004142	Prior et al.			
	48.	02/13/2003	US2003/0032638	Kim et al.			

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	49.	08/04/2003	10/633,876	Hale et al.			
	50.	08/04/2003	10/633,877	Hale et al.			
	51.	12/30/2003	10/749,537	Rabinowitz et al.			
	52.	12/30/2003	10/749,539	Rabinowitz et al.			
	53.	01/27/2004	10/766,149	Rabinowitz et al.			
	54.	01/27/2004	10/766,279	Rabinowitz et al.			

EXAMINER:	DATE CONSIDERED:
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INFORMATION DISCLOSURE CITATION  
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(Use several sheets if necessary)

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Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 01/29/2004

Group Art Unit: Not Yet Known

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	55.	01/27/2004	10/766,566	Rabinowitz et al.			
	56.	01/27/2004	10/766,574	Rabinowitz et al.			
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	58.	01/27/2004	10/766,647	Rabinowitz et al.			
	59.	01/28/2004	10/767,115	Rabinowitz et al.			
	60.	01/29/2004	10/768,205	Rabinowitz et al.			
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	64.	01/30/2004	10/769,046	Rabinowitz et al.			
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	67.	02/09/2004	10/775,583	Rabinowitz et al.			
	68.	02/09/2004	10/775,586	Rabinowitz et al.			
	69.	03/03/2004	10/791,915	Hale et al.			
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	78.	03/31/2004	✓ 10/814,998 ✓	Rabinowitz et al.			
	79.	04/01/2004	✓ 10/815,527 ✓	Rabinowitz et al.			
	80.	04/01/2004	✓ 10/816,407 ✓	Rabinowitz et al.			
	81.	04/01/2004	✓ 10/816,492 ✓	Rabinowitz et al.			
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	83.	08/04/2004	10/912,462	Hale et al.			
	84.	01/23/2003	US 2003/0015196	Hodges et al.			

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Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 01/29/2004

Group Art Unit: Not Yet Known

	85.	04/03/2003	US 2003/0062042	Wensley et al.			
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	87.	01/02/2003	US 2003/0000518	Rabinowitz et al.			
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	97.	01/23/2003	US 2003/0017114	Rabinowitz et al.			
	98.	01/23/2003	US 2003/0017115	Rabinowitz et al.			
	99.	01/23/2003	US 2003/0017116	Rabinowitz et al.			
	100.	01/23/2003	US 2003/0017117	Rabinowitz et al.			
	101.	01/23/2003	US 2003/0017118	Rabinowitz et al.			
	102.	01/23/2003	US 2003/0017119	Rabinowitz et al.			
	103.	01/23/2003	US 2003/0017120	Rabinowitz et al.			
	104.	1/30/2003	US 2003/0021753	Rabinowitz et al.			
	105.	01/30/2003	US 2003/0021754	Rabinowitz et al.			
	106.	01/30/2003	US 2003/0021755	Hale et al.			
	107.	02/20/2003	US 2003/0035776	Hodges et al.			
	108.	05/15/2003	US 2003/0091511	Rabinowitz et al.			
	109.	05/27/2004	US 2004/010148	Hale et al.			
	110.	07/31/2003	US 2003/0138382	Rabinowitz			
	111.	11/06/2003	US 2003/0206869	Rabinowitz et al.			
	112.	01/15/2004	US 2004/0009128	Rabinowitz et al.			
	113.	05/20/2004	US 2004/0096402	Hodges et al.			
	114.	05/27/2004	US 2004/0099269	Hale et al.			

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<b>Form PTO-1449</b>  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  <i>(Use several sheets if necessary)</i>	Docket Number: 00037.09CON	Application Number: 10/769,157
Applicant: <b>Joshua D. RABINOWITZ et al.</b>		
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	115.	06/03/2004	US 2004/0105818	Hale et al.			
	116.	06/03/2004	US 2004/0105819	Hale et al.			
	117.	07/01/2004	US 2004/0126326	Rabinowitz et al.			
	118.	07/01/2004	US 2004/0126327	Rabinowitz et al.			
	119.	07/01/2004	US 2004/0126328	Rabinowitz et al.			
	120.	07/01/2004	US 2004/0126329	Rabinowitz et al.			
	121.	07/01/2004	US 2004/0127481	Rabinowitz et al.			
	122.	07/01/2004	US 2004/0127490	Rabinowitz et al.			
	123.	08/12/2004	US 2004/0156788	Rabinowitz et al.			
	124.	08/12/2004	US 2004/0156789	Rabinowitz et al.			
	125.	8/12/2004	US 2004/0156790	Rabinowitz et al.			
	126.	08/12/2004	US 2004/0156791	Rabinowitz et al.			

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Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	127.	01/02/1996	CA 2,152,684	Canada			
	128.	03/14/1990	EP 0 358 114	Europe			
	129.	07/03/2001	EP 1 080 720	Europe			
	130.	08/29/2001	EP 0 606 486	Europe			
	131.	03/22/1990	WO 90/02737	WIPO			
	132.	04/11/1996	WO 96/09846	WIPO			
	133.	05/09/1996	WO 96/13161	WIPO			
	134.	05/09/1996	WO 96/13290	WIPO			
	135.	05/09/1996	WO 96/13291	WIPO			
	136.	05/09/1996	WO 96/13292	WIPO			
	137.	10/03/1996	WO 96/30068	WIPO			
	138.	08/07/1997	WO 97/27804	WIPO			

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# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

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Docket Number: 00037.09CON

Application Number: 10/769,157

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 01/29/2004

Group Art Unit: Not Yet Known

	139.	05/28/1998	WO 98/22170 ✓	WIPO			
	140.	07/23/1998	WO 98/31346	WIPO			
	141.	08/27/1998	WO 98/36651	WIPO			
	142.	04/08/1999	WO 99/16419	WIPO			
	143.	12/16/1999	WO 99/64094	WIPO			
	144.	01/06/2000	WO 00/00176	WIPO			
	145.	01/06/2000	WO 00/00215	WIPO			
	146.	05/18/2000	WO 00/27363	WIPO			
	147.	05/25/2000	WO 00/29053	WIPO			
	148.	09/17/2000	WO 00/47203	WIPO			
	149.	11/02/2000	WO 00/64940	WIPO			
	150.	11/09/2000	WO 00/66084	WIPO			
	151.	11/09/2000	WO 00/66206	WIPO			
	152.	12/21/2000	WO 00/76673	WIPO			
	153.	01/25/2001	WO 01/05459	WIPO			
	154.	03/28/2002	WO 02/24158	WIPO			
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(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
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	157.	Carroll, M.E. et al. (1990), "Cocaine-base smoking in rhesus monkeys: reinforcing and physiological effects," <i>Psychopharmacology</i> (Berl). 102:443-450.
	158.	Clark, A. and Byron, P. (1986). "Dependence of Pulmonary Absorption Kinetics on Aerosol Particle Size," <i>Z. Erkrank.</i> 166:13-24.
	159.	Darquenne, C. et al. (1997). "Aerosol Dispersion in Human Lung: Comparison Between Numerical Simulations and Experiments for Bolus Tests," <i>American Physiological Society.</i> 966-974.
	160.	Davies, C.N. et al. (May 1972). "Breathing of Half-Micron Aerosols," <i>Journal of Applied Physiology.</i> 32(5):591-600.

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		Filing Date: 01/29/2004	Group Art Unit: Not Yet Known
	161.	Dershwitz, M., M.D., et al. (September 2000). "Pharmacokinetics and Pharmacodynamics of Inhaled versus Intravenous Morphine in Healthy Volunteers," <i>Anesthesiology</i> . 93(3): 619-628.	
	162.	Finlay, W.H. (2001). "The Mechanics of Inhaled Pharmaceutical Aerosols", Academic Press: San Diego Formula 2.39. pp.3-14 (Table of Contents). pp. v-viii.	
	163.	Gonda, I. (1991). "Particle Deposition in the Human Respiratory Tract," Chapter 176, <u>The Lung: Scientific Foundations</u> . Crystal R.G. and West, J.B. (eds.), Raven Publishers, New York. pp. 2289-2294.	
	164.	Hatsukami D, et al. (May 1990) "A method for delivery of precise doses of smoked cocaine-base to humans." <i>Pharmacology Biochemistry &amp; Behavior</i> . 36(1):1-7.	
	165.	Heyder, J. et al. (1986). "Deposition of Particles in the Human Respiratory Tract in the Size Range 0.005-15 $\mu\text{m}$ ," <i>J. Aerosol Sci.</i> 17(5):811-822.	
	166.	Huizer, H., "Analytical studies on illicit heron. V. Efficacy of volatilization during heroin smoking." <i>Pharmaceutisch Weekblad Scientific Edition</i> (1987). 9(4):203-211.	
	167.	Hurt, R.D., MD and Robertson, C.R., PhD, (October 1998). "Prying Open the Door to the Tobacco Industry's Secrets About Nicotine: The Minnesota Tobacco Trial," <i>JAMA</i> 280(13):1173-1181.	
	168.	Lichtman, A.H. et al. (1996). "Inhalation Exposure to Volatilized Opioids Produces Antinociception in Mice," <i>Journal of Pharmacology and Experimental Therapeutics</i> . 279(1):69-76.	
	169.	Martin, B.R. and Lue, L.P. (May/June 1989). "Pyrolysis and Volatilization of Cocaine," <i>Journal of Analytical Toxicology</i> 13:158-162.	
	170.	Mattox, A.J. and Carroll, M.E., (1996). "Smoked heroin self-administration in rhesus monkeys," <i>Psychopharmacology</i> , 125:195-201.	
	171.	McCORMICK, A.S.M., et al., "Bronchospasm During Inhalation of Nebulized Midazolam," <i>BRITISH JOURNAL OF ANAESTHESIA</i> , vol. 80(4), April 1988, pgs. 564-565.	
	172.	Meng, Y. et al. "Inhalation Studies With Drugs of Abuse," <i>NIDA Research Monograph</i> , (1997) 173:201-224.	
	173.	Meng, Y., et al. (1999). "Pharmacological effects of methamphetamine and other stimulants via inhalation exposure," <i>Drug and Alcohol Dependence</i> . 53:111-120.	
	174.	Office Action mailed 8/13/2003 for US application 10/153,313 filed 05/21/2002 "DELIVERY OF BENZODIAZEPINES THROUGH AN INHALATION ROUTE"	
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EXAMINER:		DATE CONSIDERED:	
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Form PTO-1449

# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number: 00037.09CON

Application Number: 10/769,157

Applicant: Joshua D. RABINOWITZ et al.

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